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PRESENTED TO:

LITTLE HOOVER COMMISSION
State of California

Public Hearing on Occupational Licensing

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Culver City, California

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Chairman Nava, members of the commission and staff, thank you for the opportunity to work with you on such a valuable study regarding occupational licensure, especially as it relates to the profession of interior design and its positive effect on the citizens of California.

My name is Deborah Davis and I have been a practicing interior designer for the past 27 years, 18 of which have been in Los Angeles. My work experience has been with both small and large firms as well as corporations, most notably as the Director of Facilities for E! Entertainment. I currently work for NBC Universal and its networks on their portfolio of interior design construction/renovation projects. I am also, like 75 percent of all interior designers, a small business owner.

It has come to my attention based on witness testimony in your last hearing, that inaccurate and false information about the licensing of interior designers and the profession overall was discussed. It is my hope that we can engage in a productive dialogue to correct the record. This is particularly important considering the vital role this commission has to guarantee public access to the truth.

First and foremost, note that one of the biggest mistakes any person can make is to confuse and interchangeably use the terms “interior **designer**” and “interior **decorator**.” This is an important fact to understand based on the role of an interior designer in constructing and/or renovating the built environment and therefore the necessity for licensure.

Licensure of built environment professionals such as architects, engineers, and interior designers is based entirely on government adopted building codes. As you are no doubt aware, building codes focus on upholding public safety through standards for the design and construction of structures. In their role to safeguard the public, every level of government across the entire country has adopted codes for both public and private building projects. Consequently, the professionals working in the built environment must be qualified to comprehend, implement, and comply with the codes as they carry-out their own scope of work on a project. For the architects and engineers, their “code focus” is on structural integrity and other systems in the building. Interior designers focus on planning a structure’s interior spaces otherwise known as the physical layout and non-loading bearing features of a building. These laws and codes influence every decision an interior designer makes when they personally plan *and* monitor the construction of a building’s interior elements. For hallways, walkways, doors and stairwells, they ensure compliance with fire codes for proper egress and exiting. Their work also includes designing and placing the lighting systems to comply with emergency lighting requirements, location of exit signs, and even fire extinguishers. For Americans with Disabilities Act (ADA) compliance, interior designers guarantee accessibility by designing a “barrier free” environment specifically for the disabled that also has benefits to all building occupants.

Interior designers also must ensure fire code is followed when they specify building materials, interior finishes, and commercial furniture. To summarize, licensure of interior designers is highly important and necessary based on the direct role our profession has to protect public safety through building code compliance – a fact that was recognized with the passage of the first U.S. interior design licensure law over 40 years ago.

Regarding the aesthetics of a building; they are just one consideration for interior designers. However, they will always take a back seat to an interior designer’s responsibility and vital role on a project to guarantee the public’s safety. For interior decorators, **not** designers, aesthetics are well over a majority

of their consideration and job. Decorating is a matter of personal taste and style that does not necessarily require formal education / training. However, interior design does. Unqualified individuals attempting to practice interior design without proper training are a risk to upholding public safety. They must have formal education/training and experience. It is absolutely the key to protecting public and consumer safety after a project's completion. Licensure is the confirmation that said education and experience have been satisfied in order for an interior designer to work in "code impacted" spaces. It is the recognition overall that built environment professionals, such as interior designers, are qualified and capable to protect the public throughout their careers.

The licensure process for interior designers is based on experience, education, and examination. This is much like the model for other profession's licensing both inside and out of the built environment such as architects or attorneys respectively. Like them, interior designers attend school for numerous years in order to obtain a degree in interior design. There are approximately 400 interior design programs offered by colleges and universities that issue certificate, associate, bachelor, and graduate degrees. Aspiring licensed interior designers also must have "on the job" experience. This is not unlike attorneys. During their education years interior design students also work for a firm in order to apply the skills they obtain in the classroom. The combination of education and work experience prepares them to pass the industry exam known as the National Council for Interior Design Qualification or NCIDQ. A parallel example would be the bar exam for attorneys. The NCIDQ is a comprehensive examination that incorporates each individual's classroom and work experience, including a specific focus on building codes. Therefore, it is no surprise that all governments in the US offering licensure to practice interior design require an individual to pass NCIDQ – just like states' requiring aspiring attorneys to pass "the bar" in order to practice law.

Despite the previously stated facts about interior designers, there are still those who mischaracterize and accuse the licensing of interior designers in general as a conspiracy to prevent minority populations from becoming interior designers. They create false narratives based on incorrect or at best half-truths that fail to support any of their arguments.

Up front, there is an immediate failure to recognize that 89 percent of interior designers are women and 11 percent male. We are almost an entire profession of minorities.

Regardless, these interest groups target the licensure process' requirement to obtain a college degree as a barrier to minority populations to practice interior design in general. For example, the following is an exact quote from an opponent of licensing interior designers during a hearing called by US Senator Ted Cruz of the US Senate Judiciary Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts entitled *Opportunity Denied: How Overregulation Harms Minorities*:

"Florida requires people to have a college degree and pass a government exam before they can practice the business of 'interior design.'"

This is very inaccurate. Anyone can practice interior design without a college degree in the state of Florida and in any of the other states offering interior design licensure. The exception is if one wants to practice in a *commercial* space. As previously stated, this is due to the necessity for an individual to be properly trained with the knowledge and compliance measures associated with building codes in these spaces.

Only 4 states, 1 territory and the District of Columbia require interior designers to be licensed. They are Louisiana, Alabama, Nevada, Florida, District of Columbia, and Puerto Rico. None of them require all interior designers to be licensed, only those working in commercial spaces – i.e. buildings that are heavily impacted by the building codes due to the large number of occupants. In other words, all interior design licensure laws and regulations only apply to individuals practicing in commercial buildings. Also, it is important to note in this context that no local, state, or federal entity regulates the practice of interior *decoration* in any type of structure and/or interior *design* in residential structures. Anyone, anywhere can practice interior decorating and/or interior design in a residential structure without a license. Therefore, it is inaccurate for anyone to imply that without a college degree, an individual is prohibited from practicing the business of interior design.

Regardless, in this same US Senate Judiciary hearing, the opponents of licensure proposed that the college degree “*requirement has a racially disproportionate impact*” on entry into the profession. Again, no individual needs a college degree to practice in the residential space anywhere in America. If an individual does need a degree because they want to practice in the *commercial* space, there are more than 400 interior design programs in the country that offer certificate, associate, bachelor, and graduate degrees. Note that California has the largest amount of interior design schools in the country. This provides a vast amount of opportunity for any individual to chart their own course through an education program that is appropriate for them, their financial situation, and overall goal of becoming an interior designer. The profession and every single type of degree granting educational institution are clearly not closing any doors or opportunities to be an interior designer.

The opponents also address the disproportionate number of Black and Hispanic interior designers. In fact, they are not wrong and we agree, this is unfortunate. However, licensure is not the cause of their underrepresentation.

Race	US Population*	Interior Designers**
White	77%	89%
Hispanic/Latino	17%	5%
Asian	5%	5%
Black	13%	1%
Native American	1%	>1%

*US Census Bureau. <http://quickfacts.census.gov/qfd/states/00000.html>

** US Census Bureau, 2007 US Economic Census.

Blacks and Hispanics are underrepresented both in states that do and do not require licenses. This suggests licensure is not a significant barrier to entry for these groups. Only 4 states out of 50 and the District of Columbia as well as Puerto Rico offer a license to practice interior design. Let's suppose for a moment that licensure is an important barrier to practice interior design for Blacks and Hispanics. If that were the case, then it's fair to say this barrier does not exist for 46 out of 52 states/territories (88%). Yet Blacks and Hispanics are still underrepresented without the "barrier" of licensure in place. In other words, if licensure were a meaningful barrier to entry for Blacks and Hispanics, we would see much more representative numbers of those groups in the total population of interior designers.

These accusations of discrimination can also be refuted by the growth of the interior design profession. According to the US Bureau of Labor Statistics, the number of interior designers has increased by 10,000 in just the last three years. Also, the number of interior design firms is up 7.5 percent to 13,257. We see this growth even though licensure laws for interior design have existed for more than 40 years. Clearly, they have no negative effect on entry into the profession.

Finally, the opponents of licensure also posit that "[i]nterior designer licensing is a monopolistic privilege".

The irony of this statement when compared with the reality interior designers face when working under architects and engineers is striking. The fact is we are opposed to monopolies in the built environment among design professionals. It is for that reason that we encourage interior designers to exercise their First Amendment rights to advocate for licensure.

Without these laws, interior designers are legally subservient to other members of the design team, such as architects and engineers. Both of these built environment professions are woefully low in female and ethnic diversity. Therefore, advocating for removal of interior design licensure not only jeopardizes public safety, but also advocates for two professions that are overly dominated by white males. In short, one would be advocating for less diversity and opportunity in the built environment.

To summarize, the absence of interior design licensure in California actually undermines the opportunity for current and aspiring individuals of any ethnicity, race, gender, sex, etc...to truly practice interior design. This is the unfortunate reality that tens of thousands in our profession live every day – in states that don't offer licensure for interior designers.

It is unfortunate that others are not aware of these true facts regarding the profession and the positive effects of licensure not only on upward mobility of those practicing it, but also the role it plays in guaranteeing the health, safety, and welfare of the public.

Thank you again for the opportunity to testify on this important issue. If I, or ASID, can ever be a resource to the commission as you continue this study, please do not hesitate to contact me.